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Security Council

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Letter dated 10 August 2001 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

I have the honour to bring to your attention the statement on the situation in Somalia issued on 10 August 2001 by the Presidency of the European Union on behalf of the European Union (see annex).

I should be grateful if you would have the text of this letter and its annex circulated as a document of the Security Council.

(*Signed*) Jean **De Ruyt**
Permanent Representative of Belgium to the United Nations

01-51138 (E) 150801 150801

Annex to the letter dated 10 August 2001 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

Statement on the situation in Somalia issued on 10 August 2001 by the Presidency of the European Union on behalf of the European Union

The European Union notes with concern the recent outbreak of conflict in Mogadishu, Lower Shabelle, Puntland and other parts of Somalia and calls upon all parties to exercise maximum restraint in order to avoid further bloodshed and create a climate conducive to national reconciliation.

The European Union renews its appeal to the Transitional Government to pursue its efforts towards national reconciliation along the lines of the Union's declaration of 8 September 2000 with a genuine spirit of compromise, by peaceful means and with due respect to all entities that have achieved a certain degree of stability.

The European Union also stresses the importance of the United Nations arms embargo (Security Council resolutions 733 (1992) of 23 January 1992, 751 (1992) of 24 April 1992 and 1356 (2001) of 19 June 2001) on Somalia and calls upon all parties involved to fully respect this embargo. At the same time, the European Union recalls the statement by the President of the Security Council (S/PRST/2001/1), adopted on 11 January 2001 by the Council, which insists that all States should refrain from any military intervention in the internal situation in Somalia and that the territory of Somalia should not be used to undermine the stability in the subregion. The European Union believes that such interventions could jeopardize the sovereignty, political independence and unity of Somalia.

The European Union welcomes the creation of the National Committee for Reconciliation and Return of Property, as foreseen in article 30, paragraph 1 (a), of the Transitional Charter adopted in Arta. The European Union calls on the Transitional Government to create the conditions for the National Committee for Reconciliation and Return of Property to operate in an independent manner. The European Union encourages all parties in Somalia that have not participated in the Arta process to enter into dialogue, including through the National Committee, with the same genuine spirit of compromise and with a view to advancing and completing the reconciliation process among all Somalis.

The European Union also encourages the Intergovernmental Authority on Development and its member States to enhance their efforts towards encouraging the process of reconciliation in Somalia, on the basis of the achievements of the Arta conference, so as to assist the Somalis to achieve peace and national reconciliation.

Finally, the European Union wishes to draw the attention of all parties involved to the need and the obligation for a guaranteed safety of all humanitarian agencies and their personnel operating in Somalia.

The Central and Eastern European countries associated with the European Union, the associated countries Cyprus and Malta and the European Free Trade Association countries members of the European Economic Area align themselves with this statement.

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Security Council

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Letter dated 15 August 2001 from the Permanent Representative of Angola to the United Nations addressed to the President of the Security Council

Last Friday, 10 August 2001, at about 2 p.m., a train carrying approximately 500 civilian passengers was treacherously attacked on the outskirts of a small town, Zenza do Itombe, located less than three miles from the city of Dondo in Kwanza Norte Province. Forces under Jonas Savimbi stopped the train with a landmine planted under the tracks, then fired indiscriminately at passengers as they sought to flee in panic from the devastation that ensued.

That savage act resulted in the deaths of 252 people, with more than 165 injured and left to agonize in hospital beds. It is easy to see that we are dealing with an act devoid of any military objective whose sole aim was simply to spread death, suffering and destruction of our people in the most atrocious way. Lately, we have become aware that the rebels are avoiding confrontations with government military forces and have resorted systematically to violence against defenceless communities. About 90 days ago, after having killed and brutally mistreated civilians in the city of Caxito, they kidnapped 61 children who, for several weeks, experienced enormous hardship.

At a time when the international community and the Government of Angola are developing joint efforts to create conditions for the upcoming elections in the shortest length of time and within the framework of solving the military conflict, this act reveals the real objectives of the rebels.

Given the senseless acts against civilians, I would like to call the attention of the international community in general, and of the United Nations in particular, to the crucial need to take action, and if possible redouble joint efforts aimed at gradually isolating those who choose to wage war and refuse to respect the decisions of the Security Council pertaining to the full implementation of the Lusaka Protocol.

Situations such as the serious incident that took place in Zenza do Itombe are unacceptable. Equally unacceptable is the silence that exists internationally around the issue.

In the face of such a criminal act, I can only reaffirm the pledge of my Government to do everything possible to restore the feeling of hope for peace among the people of Angola.

This worthy goal should be clearly fulfilled, not just through words of intention and the dissemination of statements, but supported by action showing the

01-51185 (E) 150801

rebels' political will to accept the Lusaka Protocol and their desire to participate in a joint undertaking for national reconciliation.

I avail myself of this opportunity to reaffirm the readiness of the Government of Angola to leave the door open for dialogue as well as its willingness to work in cooperation with all those who demonstrate that they are truly committed to peace.

I would be most grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Ismael A. **Gaspar Martins**
Ambassador
Permanent Representative

United Nations S/2001/794

Security Council

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16 August 2001

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Letter dated 13 August 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone and further to my letters of 6 October and 4 December 2000, and 12 February and 28 March 2001, addressed to the President of the Security Council (S/2000/966; S/2000/1151; S/2001/127; S/2001/300), I have the honour to inform you that the Government of Sierra Leone, in compliance with paragraph 2 of resolution 1306 (2000), has submitted a note verbale with an enclosure comprising a second 90-day review report on the Certificate of Origin regime for trade in Sierra Leone diamonds (see annex).

In this connection, the Committee, at its 23rd meeting, on 31 July 2001, considered the second 90-day review report. In the light of its discussion, the Committee intends to pursue further several issues relating to the operation of the certification regime directly with the Government of Sierra Leone.

In accordance with paragraph 5 of Security Council resolution 1306 (2000), the Committee would appreciate it if the present letter and its annex could be brought to the attention of the members of the Security Council and issued as a document of the Security Council.

(*Signed*) Anwarul Karim **Chowdhury**
Chairman
Security Council Committee established
pursuant to resolution 1132 (1997)
concerning Sierra Leone

01-51347 (E) 170801

Annex to the letter dated 13 August 2001 from the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone addressed to the President of the Security Council

The Permanent Mission of the Republic of Sierra Leone to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1132 (1997) concerning Sierra Leone, and has the honour to forward herewith a second review of the new Certificate of Origin regime for the export of Sierra Leone diamonds (see enclosure).

17 July 2001

Enclosure

IMPLEMENTATION OF UN SECURITY COUNCIL RESOLUTION 1306 (2000)

SECOND REVIEW OF THE NEW CERTIFICATE OF ORIGIN REGIME FOR THE EXPORT OF SIERRA LEONE DIAMONDS JULY 2001

A. INTRODUCTION

1. This is the second review of the new Certificate of Origin regime which was put in place in Sierra Leone to implement UN Security Council Resolution 1306 (2000) of 5th July 2000.

B. CERTIFICATE OF ORIGIN

2. To date, one hundred and thirteen (113) certificates have been issued. All the corresponding Import Confirmation Certificates have been returned to the Government Gold and Diamond Office (GGDO). Digital photographs of rough diamonds presented to the GGDO for valuation now accompany exports to Israel in addition to Belgium, and the process of extending the system for exports to the United States is underway. The digital photographs are transmitted electronically from the GGDO to the importing countries, together with the information contained in the original Certificate of Origin for shipment.

C. OTHER MEASURES

3. Since the major objective of the Certificate of Origin regime is to end transactions in what has been described as 'conflict' or 'blood' diamonds, and consistent with its own effort to curb illicit mining and smuggling of its diamonds, the Government of Sierra Leone has updated and strengthened existing regulations and measures in the mining and market sectors.

(a) Mining

4. The surveillance and monitoring of mining activities have been stepped up to ensure that only diamonds from non-conflict areas of the country are exported through the certification process. In this regard, the Ministry of Mineral Resources continues to issue mining licences, and to ensure that no unauthorized mining takes place in any non-conflict area. Winnings from these licensed areas are sold only to licensed diamond dealers or exporters. Field Officers – Mine Wardens and Monitors – have been posted to remote villages to ensure strict compliance with the objectives of UN resolution 1306 (2000), so that conflict diamonds do not enter the legitimate channel. This close monitoring has had beneficial effects on revenue from mining licence fees. Moreover, a greater proportion of high quality

gem diamonds which hitherto had been smuggled out of the country are now legally exported through the GGDO resulting in an appreciable increase in the value per carat of exported goods.

(b) **Marketing**

5. The regulations relating to mining also apply to marketing. Diamond dealers and exporters should purchase diamonds only from licensed miners. This regulation has been enforced by officials of the Ministry of Mineral Resources, through stringent checks in the field, and at the GGDO at the time of export. Since the first review of the new Certificate of Origin regime there has been a major position change in the security situation with the deployment of UN troops in the two major areas of rebel concentration, namely Tongo and Kono. Mining in these conflict areas has been halted pending the arrival of Government officials, including police and security personnel.

6. The Independent Diamond Valuator and his assistant work in tandem with the GGDO Valuator to ensure compliance with the UN Security Council Resolution 1306 (2000). To date no conflict stone has been detected at the GGDO.

(c) **Banking Guidelines**

7. Exporters of diamonds have gradually followed the routine of importing dollar notes to purchase diamonds within the framework of the revised banking guidelines. Without compromising security, every effort is being made to ensure that the exportation process is smooth and less cumbersome.

D. CONTRIBUTION OF THE NEW REGIME TO MINING COMMUNITY DEVELOPMENT

8. At the end of June 2001 approximately US $91,000 (Ninety-one thousand US dollars) had been collected by the GGDO on the basis of the 25 per cent of total dues paid by the exporters to Government. This amount is scheduled for distribution to the various Chiefdoms starting from the first week of July 2001. The distribution would be based on the number of mining licences issued in the respective Chiefdoms. It is expected that a spirit of competition will develop among the Chiefdoms to maximize the number of mining licences issued. This would of course not only enhance the Certification system, but also contribute to the ultimate eradication of illicit mining activities.

E. CONCLUSION

9. Nine months after it came into operation the Certification of Origin system instituted by the Government of Sierra Leone can be declared a major success. It has had a significant impact on export figures through the GGDO. From October to December 2000, 48760Cts of rough and uncut diamonds valued at US$6.38 million were exported. From January to June 2001 a total of 96,000 Cts valued at US$12.72 million were exported. Thus a total of 144,760Cts valued at US$19.10 million have been exported since the Certification system was put in place **(see attached table).**

9. The Government of Sierra Leone notes with satisfaction the press statement issued by the President of the UN Security Council on 5 July 2001, in which Council members, *inter alia,* welcomed the progress reported by the Chairman of the Sanctions Committee on the implementation of resolution 1306 (2000), and the fact that reports indicated that the certification scheme was having a positive effect.

10. The Government of Sierra Leone shares the view of the members of the Council that the peace process in the country was entering a crucial phase as UNAMSIL and the Government move into the main diamond producing areas. In this regard, the Government is convinced that current positive trends in the peace process augur well for further success for the Certification system. They should also have an impact on the Council's next reviews of the implementation of resolution 1306 (2000), especially in the context of paragraph 6 of that resolution.

11. The Government of Sierra Leone joins members of the Security Council in stressing the responsibility of not only diamond exporting countries but also the diamond importers for fully implementing resolution 1306 (2000). At the same time, the Government of Sierra Leone joins in welcoming the establishment of a similar Certification system in the neighboring sister state of the Republic of Guinea. It will also continue to support and participate in current efforts aimed at establishing standards for an international certification system to break the link between the illicit transaction of rough and uncut diamonds and armed conflict.

GOVERNMENT GOLD AND DIAMOND OFFICE
Bank of Sierra Leone Building, Freetown

Summary of monthly exports of rough uncut diamonds for the Year 2001

Month	Total Carats	Total Value ($)	Price/Carat
January	13,486.10	1,991,773.84	147.69
February	15,384.67	1,909,276.29	124.10
March	20,055.63	2,685,334.87	133.89
April	14,440.58	1,821,327.48	126.12
May	16,996.96	2,156,765.00	126.89
June	15,652.29	2,154,917.36	137.67
TOTAL	**96,016.23**	**12,719,394.84**	

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Letter dated 14 August 2001 from the Acting Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia addressed to the President of the Security Council

On behalf of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia, I have the honour to transmit herewith a copy of a note verbale dated 13 August 2001 from the Permanent Mission of Bulgaria to the United Nations addressed to the Chairman of the Committee (see annex).

I would appreciate it if the present letter and its annex were issued as a document of the Security Council.

(*Signed*) Jagdish **Koonjul**
Acting Chairman
Security Council Committee established pursuant
to resolution 1343 (2001) concerning Liberia

01-51328 (E) 160801

Annex to the letter dated 14 August 2001 from the Acting Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia addressed to the President of the Security Council

The Permanent Mission of the Republic of Bulgaria to the United Nations presents its compliments to the Chairman of the Security Council Committee established pursuant to resolution 1343 (2001) concerning Liberia and, referring to his note dated 7 June 2001, has the honour, in addition to the information contained in the note verbale of the Bulgarian Mission dated 25 June 2001 addressed to the Chairman of the Committee, to communicate the following:

With regard to the embargo on exports of arms and related materiel of all types and the provision of technical training related to the provision, manufacture, maintenance or use of such equipment (Security Council resolution 1343 (2001, para. 5)), the Government of the Republic of Bulgaria adopted a special decree in May 2001, by which it approved the restrictive regime on certain countries, including Liberia.

In keeping with the efforts undertaken by the Bulgarian State until now, the newly formed Government is preparing a draft decree, which will further widen the scope of the decree adopted in May 2001.

The Permanent Mission of the Republic of Bulgaria would appreciate it if the present note verbale were to be issued as a document of the Security Council.

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Security Council

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Fifth report of the Secretary-General pursuant to paragraph 14 of resolution 1284 (1999)

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1284 (1999), in which the Council requested me to report every four months on compliance by Iraq with its obligations regarding the repatriation or return of all Kuwaiti and third-country nationals or their remains.

2. Since the adoption of resolution 1284 (1999) on 17 December 1999, I have submitted two reports (S/2000/347 and Corr.1 and S/2000/1197) that addressed the humanitarian issues of the repatriation or return of all Kuwaiti and third-country nationals or their remains. On 17 August 2000 and 20 April 2001, the high-level Coordinator also briefed the Security Council. The present report covers relevant developments that have taken place in the period since the last report of the Secretary-General on this issue.

II. Background

3. During my meeting on 26 and 27 February 2001 with the Minister for Foreign Affairs of Iraq, Mohammad Said Al-Sahaf, and his delegation, the issue of the repatriation or return of all Kuwaiti and third-country nationals or their remains was discussed. I urged my Iraqi interlocutors to make every effort to resolve this outstanding humanitarian issue of great concern to the international community. The Iraqi side stated that Iraq repatriated all prisoners of war and performed and continues to perform its duty to cooperate in accounting for missing persons.

4. On 22 March 2001, during a meeting with Sheikh Salem Sabah Al-Salem Al Sabah, Chairman of the National Committee for Missing Persons and Prisoners of War of Kuwait, I reiterated my intention, during the next round of talks with the Government of Iraq, to enter into more detail on the issue of the repatriation or return of all Kuwaiti and third-country nationals or their remains.

5. While briefing the Security Council on 20 April 2001, the Coordinator stated that one year after his appointment to the post, despite all efforts, he had been unable to report a breakthrough on the issue of the repatriation or return of all Kuwaiti and third-country nationals and that no Kuwaiti or third-country nationals had returned to their families. The President of the Security Council stated to the press that "there has been no movement whatsoever" on this issue in recent months and that "this is one area where the Security Council is unanimous on Iraq — in support for the work of Ambassador Vorontsov and for his future and his continuing efforts and also in expressing deep concern at the plight of Kuwaiti and third-country nationals still missing". He expressed the hope that "at some stage soon and at last" there would be some progress on this strictly humanitarian issue, and also stated that members of the Council, convinced that "there is more information to be given from the Iraqi side," had urged the Government of Iraq to cooperate fully with Ambassador Vorontsov and with all others dealing with this issue. Noting that the matter had already taken "far too long" to resolve, he further stated members of the Council "were very keen that when Member States have contacts with Iraq, when the Secretariat has contacts with Iraq, that this issue should continue to be brought up and must be ground away at until we have some results".

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6. In a letter addressed to me, dated 24 May 2001 (A/55/956-S/2001/526), the Permanent Representative of Bahrain to the United Nations enclosed the joint communiqué of the eleventh session of the Ministerial Council of the Cooperation Council of the Gulf Arab States and the European Union, held in Manama, Bahrain, on 23 April 2001. In this communiqué, both sides underlined their concern at the continuing uncertainty over the Kuwaiti and other prisoners of war and persons unaccounted for, held by Iraq after the Gulf war. Also, they demanded that Iraq meet its obligation under the relevant Security Council resolutions, including resolution 1284 (1999), to resume cooperation with the Tripartite Commission and to extend all necessary cooperation to the International Committee of the Red Cross (ICRC) to reach an immediate and permanent solution to the issue.

7. In another letter addressed to me, dated 4 June 2001 (A/55/981-S/2001/558), the Permanent Representative of Bahrain enclosed the final communiqué of the seventy-ninth session of the Ministerial Council of the Cooperation Council for the Gulf Arab States (GCC), which was held in Jeddah on 2 and 3 June 2001. In that final communiqué, GCC, inter alia, renewed its call to Iraq to discharge in full its obligations under the Security Council resolutions relating to cooperation with ICRC, the high-level Coordinator and the Tripartite Commission in devising an expeditious and definitive solution to the problem of Kuwaiti and third-country prisoners and hostages and the return of all Kuwaiti property in its possession. Similar statements and demands were contained in other documents transmitted by the Permanent Representative of Bahrain to the United Nations (see A/55/727-S/2001/5 and A/55/851-S/2001/277).

8. On 20 June 2001, the President of the Security Council, in a statement to the press, expressed the Council's unanimous support for the work of the Coordinator, Ambassador Yuli Vorontsov. The Council also agreed with the Secretary-General's observations, in particular those concerning the complete impartiality of Ambassador Vorontsov in fulfilling his mandate under resolution 1284 (1999) (see S/2001/582, para. 14), called upon the Government of Iraq to cooperate fully with the Coordinator in resolving all outstanding issues and stressed the importance of dialogue between Ambassador Vorontsov and the Government of Iraq. It was noted that the Council was firmly united on the humanitarian issue of the missing persons.

9. During the open meeting of the Security Council on 26 and 28 June 2001, members of the Council and representatives of Member States paid due attention to the humanitarian issue of the repatriation or return of all Kuwaiti and third-country nationals or their remains. In their statements, it was pointed out that "the issue of missing Kuwaitis ... should be properly resolved at an early date. This issue has long been a source of great suffering for the Kuwaiti people and has remained a priority concern of the countries of the Gulf. In accordance with the relevant provisions of international law, Iraq is obliged to cooperate by identifying and returning to Kuwait the missing Kuwaitis ... the timely and proper resolution of this humanitarian issue will contribute to an early normalization in inter-State relations in the Gulf, as well as to an early comprehensive resolution of the Iraq issue" (China); that "it is disturbing that there is no progress" on the plight of the missing Kuwaiti and third-country nationals and that "The required transparency with regard to missing persons could be achieved through cooperation with the United Nations" (Norway); that "part B of resolution 1284 (1999) obliges Iraq to facilitate the repatriation of all Kuwaiti and third-country nationals or the return of their remains if they are deceased. For the past 11 years, more than 600 families have been living in torment, and they continue to suffer". Iraq is called upon to cooperate with Ambassador Vorontsov "so that he can carry out his task ... This is a major humanitarian issue on which true consensus exists in the Council" (Mali); that "there is a firm international consensus, both among members of the Security Council and within the entire community of nations, on the long-standing tragedy of those innocent victims" (Kuwait); that "... the necessity for Iraq to fully abide by its obligations regarding Kuwaiti and non-Kuwaiti prisoners of war and missing persons, as is mentioned in relevant Security Council resolutions, especially in paragraph 30 of resolution 687 (1991)" (Saudi Arabia); that Iraq is called upon "to fulfil its international obligations and to resume participation in the Tripartite Commission and the Technical Subcommittee ... These are important issues that should not be relegated to the back burner of Council deliberations. The existence of complete consensus in the Security Council on humanitarian issues should provide a strong basis for their early resolution" (Malaysia); that "Iraq states that it has no Kuwaiti prisoners. However, it states in turn that there are Iraqi missing persons. It is difficult to understand

this statement that there are no Kuwaiti prisoners. The case file on each of those persons is fully documented and show that they have disappeared and that they are in Iraq. In order to resolve this issue, Iraq merely has to cooperate with the Coordinator of the Secretary-General, who was appointed for that purpose, and has to participate in the activities of the international committee created for that purpose" (Bahrain); and that "it is of the utmost urgency that there be a return to an appropriate dialogue on the fate of prisoners of war and of those missing in action ... foundations for the promising dialogue would be laid with immediate conciliatory gestures by the Government of Iraq" (Italy) (see S/PV.4336 and S/PV.4336/Resumption 1).

10. The Under-Secretary for Foreign Affairs of Iraq, Dr. Riyadh Al-Qaysi, stated at the aforementioned meeting that "Iraq has returned all prisoners of war and has fulfilled and continues to fulfil the duty of cooperating in investigating the fate of missing persons" (see S/PV.4336/Resumption 1).

11. During a press conference in New York on 29 June 2001, Dr. Riyadh Al-Qaysi stated that the "perennial issue of Kuwaiti POWs and missing persons was brought to the surface by resolution 1284 (1999)". He dismissed claims that Iraq was still holding POWs. According to him, these accusations were deliberately raised in international forums for the purpose of ensuring that the embargo would be maintained against Iraq. He reiterated that Iraq had already repatriated "all Kuwaiti POWs under the supervision of ICRC in 1991".

III. Overview of recent activities related to the repatriation or return of all Kuwaiti and third-country nationals or their remains

12. During the reporting period, the Coordinator continued visiting countries and international organizations to further intensify efforts aimed at the resolution of the humanitarian issue of the repatriation or return of all Kuwaiti and third-country nationals or their remains. The interlocutors of Ambassador Vorontsov stressed that it was most unfortunate that Iraq was still refusing to meet with him because of its well-known attitude to Security Council resolution 1284 (1999).

13. It will be recalled that on 20 March 2001, the Coordinator met in Doha with Mr. Ahmad Abdallah Al-Mahmoud, Minister of State for Foreign Affairs of Qatar. On 21 March 2001, he held a meeting with Sheikh Mohammad Ben Moubarak Al-Khalifa, Minister for Foreign Affairs of Bahrain, in Manama. He also held discussions on 22 March 2001 with Mr. Abdelouahed Belkeziz, the Secretary-General of the Organization of Islamic Conference (OIC) in Jeddah, and on 24 March 2001, with Ambassador Torki M. Saud Al-Kabeer, Under-Secretary for Political Affairs of Saudi Arabia in Riyadh. The Secretary-General of OIC stressed that he would appoint a director within OIC who would deal exclusively with the issue of missing persons and Kuwaiti property.

14. In New York, from 12 to 23 June 2001, the Coordinator had a series of meetings with the members of the Security Council and also with Kuwait's Minister of State for Foreign Affairs, Sheikh Mohammad Sabah Al-Salem Al-Sabah.

15. Ambassador Vorontsov visited Egypt from 24 to 27 June, Jordan on 28 and 29 June and Kuwait from 29 June to 2 July 2001. On 19 July 2001, in Geneva, he held discussions with members of the Tripartite Commission on the margins of their regular meeting. In Cairo, the Coordinator met with Mr. Amre Moussa, the Secretary-General of the League of Arab States (LAS), and with Mr. Ahmad Maher, Minister for Foreign Affairs of Egypt. In Amman, he met with Mr. Abdel-Elah Khatib, Minister for Foreign Affairs of Jordan. In Kuwait, he met with Mr. Jassem Mohammad Al-Khorafi, the Speaker of the National Assembly, with Mr. Khaled S. Al-Jarallah, Under-Secretary of the Ministry of Foreign Affairs, and with members of the Tripartite Commission and the National Committee for Missing Persons and POW Affairs.

16. All the interlocutors of the Coordinator expressed strong support for his activities and encouraged him to continue making every effort to resolve these humanitarian matters. They also voiced concern at Iraq's unwillingness to cooperate with Ambassador Vorontsov. The Secretary-General of LAS, among others, stated that he would encourage the Government of Iraq to cooperate with the Coordinator. The Foreign Minister of Jordan informed Ambassador Vorontsov that the issue of the repatriation or return of all Kuwaiti and third-country nationals could also be addressed within the framework of LAS. Foreign Minister Khatib also noted that the Government of Jordan was prepared to assist the high-level Coordinator in his mission.

17. While the representatives of the National Committee for Missing Persons and POW Affairs of Kuwait noted that Kuwait had presented a new idea about the involvement of ICRC in making progress on these humanitarian issues, Iraq rejected this proposal. A member of this Committee stressed that Kuwait would be "flexible" as long as work was carried out under the "umbrella" of the Tripartite Commission.

18. According to the *Arab Times* of Kuwait, on 16 July 2001 Arab League Secretary-General, Amre Moussa, visited Kuwait and discussed with Kuwaiti officials a number of issues, including missing persons and stolen property. National Assembly Speaker Mr. Jassem Mohammad Al-Khorafi, following the meeting with the Arab League Secretary-General, reaffirmed that their discussion focused on "empowering the Arab body to tackle the issue of Kuwaiti POWs in Iraq". During a meeting with Ambassador Vorontsov on 1 July 2001 in Kuwait, Mr. Al-Khorafi recalled that some Arab countries had suggested that Kuwait and Iraq resolve the issue of missing persons on a bilateral basis. He stressed that Kuwait would be prepared to hold direct talks with Iraq, provided that the Government of Iraq recognized that it was detaining Kuwaiti and third-country nationals.

19. It will be recalled that on 3 July 2001, ICRC extended an invitation to Iraq to participate in the forthcoming session of the Tripartite Commission in Geneva on 19 July 2001. In response, an Iraqi Foreign Ministry official stated that Iraq had notified ICRC that it would not change its earlier position concerning participation in the Tripartite Commission.

20. Before leaving for Geneva to attend the Tripartite Commission meeting, the Chairman of Kuwait's National Committee for Missing Persons and POW Affairs, Sheikh Salem Sabah Al-Salem Al-Sabah, stated that he would request ICRC to share any information on POWs emerging from contacts with the Iraqi authorities. On 21 July 2001, he appealed to Iraq to join the Tripartite Commission talks in order to solve the humanitarian issue of the missing persons.

21. The outcome of the Tripartite Commission's meeting again demonstrated that ICRC remains committed to finding ways of achieving practical results towards resolving the important issue of repatriation or return of all Kuwaiti and third-country nationals.

22. The Coordinator, in his briefing to the Security Council on 20 April 2001, referred to the exchange of letters on the issue of the Saudi pilot, Muhammad Salih Nazirah, and the United States pilot, Michael Speicher (see S/2001/117, S/2001/274 and S/2001/340). More detailed information has been provided to the members of the Security Council during the consultations. Since that time, letters from the Permanent Representative of Iraq dated 1 May 2001 (S/2001/439) and the Permanent Representative of Saudi Arabia dated 21 May 2001 (S/2001/517) have provided additional details on the aforementioned cases. The meeting of the Tripartite Commission also addressed the cases of both pilots.

IV. Observations

23. It is most unfortunate that the Coordinator is not in a position to report more tangible progress on the issue of the repatriation or return of all Kuwaiti and third-country nationals or their remains. It is regrettable that the Government of Iraq is still unwilling to cooperate with Ambassador Vorontsov on the grounds that it rejects resolution 1284 (1999). Nevertheless, I am most grateful that all interlocutors of the Coordinator strongly reiterated their determination and commitment to assist in any way possible in the resolution of this humanitarian issue. I remain hopeful that with their support, the Government of Iraq would at last be convinced to cooperate with ICRC, the Tripartite Commission and its technical Subcommittee, as well as the parties concerned and the Coordinator.

24. Iraq should appreciate the fact that the international community is not selective and that all cases of missing persons, whether Kuwaiti, Saudi, Iraqi or others, would be addressed.* As the Government of Iraq claims to seek a resolution to the issue of its own missing nationals, it is essential that it exercise an appropriate and sensitive understanding of the position held by the Government of Kuwait and other countries concerned.

25. Obviously, the high-level Coordinator will not be able to achieve what he is mandated to accomplish unless and until the Iraqi leadership substantially changes its current attitude. I continue to be firmly convinced that cooperation between the Government of Iraq and Ambassador Vorontsov could constitute the

* It will be recalled that the nationals to be repatriated or returned include, in addition to 570 Kuwaitis, 3 Lebanese, 1 Indian, 4 Iranians, 5 Egyptians, 4 Syrians, 1 Bahraini, 1 Omani and 14 Saudi Arabians. Iraq claims that there are 1,142 missing Iraqis.

beginning of a dialogue through which it would be possible to resolve the issue of repatriation or return of all Kuwaiti and third-country nationals or their remains. I wish to reiterate my gratitude to the members of the Security Council for their continued unanimous support for the efforts of the Coordinator. The efforts made by the League of Arab States and the Organization of the Islamic Conference in this respect are also highly appreciated. These efforts of the international community are an expression of its determination to contribute to devising a satisfactory solution to this issue on purely humanitarian grounds.

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Letter dated 15 August 2001 from the Representatives of Mali and Qatar to the United Nations addressed to the President of the Security Council

We have the honour to inform you that an urgent meeting of the Follow-up Committee on the Ninth Islamic Summit Conference, followed by an urgent meeting of the Islamic Group, were held today, at the ambassadorial level, at the United Nations, to consider the grave and deteriorating situation in the Occupied Palestinian Territory, including Jerusalem, following Israel's unwarranted and illegal seizure of the Orient House, its high-handed closure of the Palestinian Authority's political and security offices, its forceful occupation of several other Palestinian buildings in East Jerusalem, its destruction of a Palestinian police station and other property in Jenin and, among other things, its killing and injuring of Palestinian citizens, including children.

These and other actions of Israel, the occupying Power, are severely undermining the Palestinian Authority's efforts to lend stability to its administration. They also severely threaten the peace process in Palestine and the Middle East region.

On behalf of the States members of the Islamic Group, we have the honour to request the convening of an immediate meeting of the Security Council to consider the grave situation.

(*Signed*) Issouf Oumar **Maiga**
Chargé d'affaires a.i.
Permanent Mission of Mali
Chairman of the Islamic Group

(*Signed*) Nassir Abdulaziz **Al-Nasser**
Ambassador
Permanent Representative of the State of Qatar
Chairman of the Follow-up Committee

01-51228 (E) 150801

United Nations A/ES-10/103–S/2001/798

General Assembly
Security Council

Distr.: General
16 August 2001

Original: English

General Assembly
Tenth emergency special session
Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Fifty-sixth year

Identical letters dated 16 August 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Israel, the occupying Power, persists with its bloody military campaign against the Palestinian people in the Occupied Palestinian Territory, including Jerusalem. Yesterday, in the late-night hours (Palestine time), Israeli occupying forces raided five villages under full Palestinian control in the area of Bethlehem. Approximately 25 Israeli tanks and armoured vehicles invaded the villages, causing widespread fear and anxiety among the Palestinian civilian population. Those tanks remained in the area, posing an additional threat against the cities of Bethlehem, Beit Sahour and Beit Jala.

At the same time, Israeli occupying forces continue to pursue the illegal and criminal policy of extrajudicial killings in spite of worldwide condemnation. Yesterday, Israeli undercover units entered Al-Khalil (Hebron) and assassinated Imad Abu Sneineh, fatally shooting him in the head, chest, abdomen and legs outside his home. We hold the Government of Mr. Ariel Sharon fully responsible for such war crimes and other atrocities that have been committed against the Palestinian people, in grave violation of the Fourth Geneva Convention of 1949, as well as other instruments of international law and relevant Security Council resolutions.

We believe that the Security Council has the obligation to effectively and immediately intervene to put an end to the present tragic situation in the Occupied Palestinian Territory, including Jerusalem. We call upon the Council to meet and to take the necessary action in this regard in a speedy and prompt manner.

In follow-up to our previous 62 letters addressed to you regarding this grave and ongoing situation in the Occupied Palestinian Territory, including Jerusalem, dated from 29 September 2000 to 14 August 2001 (A/55/437-S/2000/930; A/55/450-S/2000/957; A/55/466-S/2000/971; A/55/474-S/2000/984; A/55/490-S/2000/993; A/ES-10/39-S/2000/1015; A/ES-10/40-S/2000/1025; A/ES-10/42-S/2000/1068; A/ES-10/43-S/2000/1078; A/ES-10/44-S/2000/1093; A/ES-10/45-S/2000/1104; A/ES-10/46-S/2000/1107;

01-51335 (E) 160801

A/ES-10/47-S/2000/1116; A/ES-10/48-S/2000/1129; A/ES-10/49-S/2000/1154; A/ES-10/50-S/2000/1173; A/ES-10/51-S/2000/1185; A/ES-10/52-S/2000/1206; A/ES-10/53-S/2000/1247; A/ES-10/54-S/2001/7; A/ES-10/55-S/2001/33; A/ES-10/56-S/2001/50; A/ES-10/57-S/2001/101; A/ES-10/58-S/2001/131; A/ES-10/59-S/2001/156; A/ES-10/60-S/2001/175; A/ES-10/61-S/2001/189; A/ES-10/71-S/2001/314; A/ES-10/72-S/2001/332; A/ES-10/75-S/2001/352; A/ES-10/76-S/2001/372; A/ES-10/79-S/2001/418; A/ES-10/80-S/2001/432; A/ES-10/81-S/2001/447; A/ES-10/82-S/2001/463; A/ES-10/83-S/2001/471; A/ES-10/84-S/2001/479; A/ES-10/85-S/2001/486; A/ES-10/86-S/2001/496; A/ES-10/87-S/2001/504; A/ES-10/88-S/2001/508; A/ES-10/89-S/2001/544; A/ES-10/90-S/2001/586; A/ES-10/91-S/2001/605; A/ES-10/92-S/2001/629; A/ES-10/93-S/2001/657; A/ES-10/94-S/2001/669; A/ES-10/95-S/2001/686; A/ES-10/96-S/2001/697; A/ES-10/97-S/2001/708; A/ES-10/98-S/2001/717; A/ES-10/99-S/2001/742; A/ES-10/100-S/2001/754; A/ES-10/101-S/2001/783 and A/ES-10/102-S/2001/785), I regret to inform you that three more Palestinians, including the martyr mentioned above, have died as a result of the brutal actions of the occupying force. (The names of the martyrs are contained in the annex to the present letter.) These deaths raise the total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 to 563 people. Moreover, the total number of Palestinian civilians injured, many severely and permanently, also continue to rise each day.

I would be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

Annex to the identical letters dated 16 August 2001 from the Permanent Observer of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by Israeli occupying forces in the Occupied Palestinian Territory, including Jerusalem[a] (Wednesday, 15 August through Thursday, 16 August 2001)

Wednesday, 15 August 2001

1. Imad Abu Sneineh
2. Abdel Nasser Ziadah

Thursday, 16 August 2001

1. Kamal Saeed Muslim

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[a] Total number of Palestinian martyrs killed by Israeli occupying forces since 28 September 2000 = 563.

United Nations S/2001/799

Security Council

Distr.: General
17 August 2001

Original: English

Letter dated 17 August 2001 from the Permanent Observer of Palestine to the United Nations addressed to the President of the Security Council

I have the honour to request that, in accordance with its previous practice, the Security Council invite the Permanent Observer of Palestine to the United Nations to participate in the meeting of the Security Council to be held on Monday, 20 August 2001, regarding the situation in the Occupied Palestinian Territory, including Jerusalem.

(*Signed*) Dr. Nasser **Al-Kidwa**
Ambassador
Permanent Observer of Palestine to the United Nations

01-51387 (E) 170801

United Nations S/2001/800

Security Council

Distr.: General
17 August 2001
English
Original: French

Letter dated 17 August 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Mali to the United Nations addressed to the President of the Security Council

In my capacity as Chairman of the Group of Islamic States at the United Nations, I have the honour to request the Security Council to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ahmad Haji Hosseini, Acting Permanent Observer for the Organization of the Islamic Conference to the United Nations, to participate in the meeting of the Council to be held on Monday, 20 August 2001, on the item entitled "The situation in the Middle East, including the Palestinian Question".

(*Signed*) Issouf Oumar **Maiga**
Chargé d'affaires a.i.

01-51511 (E) 200801 200801

United Nations S/2001/801

Security Council

Distr.: General
20 August 2001
English
Original: Arabic

Letter dated 20 August 2001 from the Chargé d'affaires a.i. of the Permanent Mission of Tunisia to the United Nations addressed to the President of the Security Council

I have the honour to request the Security Council to extend an invitation, under rule 39 of its provisional rules of procedure, to Mr. Ali A. Abbas, Deputy Permanent Observer for the League of Arab States to the United Nations, to participate in the meeting of the Council to be held on Monday, 20 August 2001, on the situation in the occupied Palestinian territory, including Jerusalem.

(*Signed*) Othman **Jerandi**
Chargé d'affaires a.i.

01-51547 (E) 200801 200801

United Nations S/2001/802

Security Council

Distr.: General
20 August 2001
English
Original: French

Letter dated 14 August 2001 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

I have the honour to draw your attention to the statement on the signing of the framework agreement in Skopje, issued on 13 August 2001 by the President of the European Union on behalf of the European Union (see annex).

I should be grateful if you would have the text of this letter and of its annex issued as a document of the Security Council.

(*Signed*) Jean **De Ruyt**
Permanent Representative of Belgium to the United Nations

01-51541 (E) 200801 200801

Annex to the letter dated 14 August 2001 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

[Original: English and French]

Statement on the signing of the framework agreement in Skopje, issued on 13 August 2001 by the Presidency of the European Union on behalf of the European Union

The European Union welcomes the signing of the framework agreement by President Trajkovski and the heads of the four main political parties in the former Yugoslav Republic of Macedonia. The agreement represents a crucial stage in the ongoing political process, which has been made possible by the sense of responsibility shown by the political leaders engaged in the negotiations.

The signatories have undertaken to carry out the political reforms which are essential to enable the communities to co-exist with due regard for the territorial integrity and unity of the former Yugoslav Republic of Macedonia within its internationally recognized borders.

The Union urges all the parties faithfully to abide by the agreement and to take all the measures needed for its speedy and full implementation. It calls on all the citizens of the former Yugoslav Republic of Macedonia to give the agreement their full support, as it is the sole guarantor of a return to peace and stability in the country, and of national reconciliation.

It is essential that everyone should observe the ceasefire scrupulously from now on. The European Union strongly condemns the acts of violence which have placed continuation of the political process in jeopardy. It appeals for calm on all sides, stressing that there is no alternative to implementation of the political agreement which has been reached.

The European Union is pleased that the High Representative, Mr. Solana, and the European Union Representative in Skopje, Mr. Léotard, have been able to act as mediators, working closely with the special envoy of the President of the United States of America, Mr. Pardew.

The European Union is ready to convene a donors' conference soon after the constitutional and legislative provisions laid down in the framework agreement have been adopted by the Parliament. It is preparing a reconstruction and rehabilitation programme which will help towards implementation of the reforms.

The European Union reiterates its determination to stand by the former Yugoslav Republic of Macedonia as it draws closer to Europe, along the route mapped out at the Zagreb Summit by the Stabilization and Association Process.

United Nations S/2001/803

Security Council

Distr.: General
20 August 2001
English
Original: French

Letter dated 14 August 2001 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

I have the honour to draw to your attention the statement following the attack in Haifa on 12 August and the closure of Orient House in East Jerusalem issued on 13 August 2001 by the Presidency of the European Union on behalf of the European Union (see annex).

I should be grateful if you would have the text of this letter and of its annex issued as a document of the Security Council.

(*Signed*) Jean **De Ruyt**
Permanent Representative of Belgium to the United Nations

01-51533 (E) 200801 200801

Annex to the letter dated 14 August 2001 from the Permanent Representative of Belgium to the United Nations addressed to the Secretary-General

Statement following the attack in Haifa on 12 August and the closure of Orient House in East Jerusalem issued on 13 August 2001 by the Presidency of the European Union on behalf of the European Union

The European Union condemns in the strongest terms the recent suicide-bomb attacks.

These acts, in particular those targeted at Israeli civilians, are hateful and repugnant in the extreme.

Terrorism is a serious threat to the stability of the region. It must be resisted with the utmost rigour. The European Union also condemns any assistance to the organizations that engage in terrorism, whether this be financial aid, arms supplies or training.

The European Union calls on the Palestinian Authority to do its utmost to arrest and bring to justice the perpetrators, instigators and sponsors of acts of terror.

The closure of Orient House and other institutions in Jerusalem does not serve the interests of peace and can only weaken the Palestinian leadership at a time when it is called upon to show firm resolve in the fight against extremism. It runs counter to the declared objective, which must remain the restoration of security for all. The European Union would like to see the closure reversed at the earliest possible date and the archives returned. Unilateral acts can do nothing to alter the international community's long-standing position on the status of the Occupied Territories, including East Jerusalem.

The European Union calls on Israel to continue to show the utmost restraint in the use of military force.

The European Union urges the two sides to open a sustained political dialogue without delay in order to break the deadlock and expresses its support for the initiatives along these lines planned by Mr. Peres, the Israeli Deputy Prime Minister and Minister for Foreign Affairs. The only way to restore security for all is to return to the route mapped out by the Madrid Conference, the Oslo Accords and the recommendations of the Mitchell report.

United Nations S/2001/804

Security Council

Distr.: General
20 August 2001
English
Original: Arabic

Letter dated 17 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 16 August 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of Iraq, which confirms the desire of Iraq — on the basis of its conviction of the humanitarian nature of the cause of missing persons, whether of Iraqi, Kuwaiti, Saudi Arabian or other nationalities — to cooperate with the International Committee of the Red Cross, as an impartial international body, and with the States which hold files of missing persons, in order to give effect to the obligations specified in the Geneva Conventions of 1949.

Iraq wishes you to intervene with the United States of America and the United Kingdom to prevail on them to give up their unjustified insistence on participating in the work of the Tripartite Commission; should the United States and the United Kingdom insist on participating in the meetings of the Commission on the grounds that they are permanent members of the Security Council or on any other pretext, Iraq requests the participation in the work of the Tripartite Commission of three States of major international standing and with a point of view independent of the two parties to the problem, namely the Russian Federation, China and India.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

01-51572 (E) 200801 200801

Annex to the letter dated 17 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Since 1991, Iraq has been anxious, on the basis of its belief in the humanitarian nature of the cause of the missing persons of Iraqi, Kuwaiti, Saudi Arabian or other nationality, to cooperate with the International Committee of the Red Cross as an impartial international body and with the States that have files of missing persons, in order to give effect to the obligations specified in the Geneva Conventions of 1949. Iraq has, moreover, responded positively to the good offices offered by States and organizations in the region, including the League of Arab States, with a view to resolving this humanitarian issue and ascertaining the fate of all missing persons with the oversight of the International Committee of the Red Cross. To that end, Iraq has participated in the meetings convened by the Tripartite Commission, despite the participation in its work of the United States of America, the United Kingdom and France, which do not have files of missing persons. Iraq has striven to ensure progress in the work of the Commission in order to reach a conclusion on all the files submitted to the Commission without any discrimination between the holders of the files. Experience has shown that the United States and the United Kingdom have offered no positive assistance to the work of the Commission but have constantly endeavoured to impede its work and to politicize the issue of missing persons. After the United States and the United Kingdom committed their large-scale aggression against Iraq on 16 December 1998, Iraq requested that those States should not take part in the work of the Commission and that participation should be restricted solely to the States that had files of missing persons, on the grounds that oversight of the meeting by the International Committee of the Red Cross, which is the impartial body charged with that humanitarian role under the Geneva Conventions of 1949, was adequate. However, the United States and the United Kingdom insisted on continuing to participate in the work of the Tripartite Commission, bringing to a halt the work of the parties engaged in following up the files of missing persons of Iraqi, Kuwaiti, Saudi Arabian and other nationalities.

Iraq has made sustained efforts through the letters it has sent to you, and through its ongoing contacts with the International Red Cross, and with all the other impartial international bodies involved in the matter, with a view to bringing about a resumption of the meetings of the Tripartite Commission under the oversight of the International Committee of the Red Cross and with the presence of the States which hold files of missing persons that are being investigated; the Iraqi missing persons number 1,142, which is about twice the number of missing persons of the other nationalities. However, the efforts of Iraq have so far not met with the desired response since the United States and the United Kingdom are still insisting on participating in the meetings of the Tripartite Commission in spite of the fact that those two States have no files of missing persons being investigated by the Commission. Moreover, it has become clear to all that the purpose of participation by those States in all the commissions and other bodies dealing with the relations between Iraq and the United Nations is purely subversive. It was they that insisted on the maintenance of the comprehensive sanctions against Iraq which have resulted so far in the deaths of more than 1.5 million Iraqis, the majority of them children and women, and it was they that impeded the proper implementation of the oil-for-food programme and tried to deflect it from its humanitarian functions and use it as

a means of bringing political pressure to bear on Iraq by their illegal interference and by putting thousands of contracts for the import of humanitarian supplies on hold. It was they that took advantage of the Special Commission of the Security Council on disarmament (UNSCOM) to spy on Iraq, fabricate crises and issue mendacious reports which were used as a pretext for continuing the sanctions and hostilities against Iraq. Their role in the Compensation Commission and their attempts to squander Iraq's funds in a manner contrary to the provisions of international law are also well known. It is they who resort on a daily basis to the unilateral use of force against Iraq without the slightest authorization by any international resolution in the illegal so-called no-flight zones, bombing public installations and the homes and property of citizens, and killing and endangering the lives of millions of Iraqis. It was, moreover, those two States that brazenly announced that they were taking action to change the political regime in Iraq, financing and nurturing gangs of mercenaries and training their members to commit acts of terrorism and subversion against Iraq, a sovereign State and a founder Member of the United Nations. It is therefore delusory to anticipate anything positive from the participation of the United States and the United Kingdom in the meetings of the Tripartite Commission, the guiding principle of which is supposed to be to endeavour to offer humanitarian services to the families of the missing persons of the parties.

Accordingly, Iraq wishes you to intervene with the United States and the United Kingdom to prevail on them to give up their unjustified insistence on participating in the work of the Tripartite Commission, thus opening the way to the resumption of meetings of the Commission with the participation of the States that have files of missing persons that have been submitted to the Commission and under the oversight of the International Committee of the Red Cross.

Should the United States and United Kingdom insist on participating in the meetings of the Tripartite Commission on the pretext that they are permanent members of the Security Council or on any other pretext, we request that three States of major international standing and with a point of view independent of the two parties to the problem, namely the Russian Federation, China and India, should participate in the work of the Tripartite Commission.

I wish to inform you that Iraq will continue its efforts in an inter-Arab framework to achieve the same objective which is to resolve this humanitarian problem.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

United Nations S/2001/805

Security Council

Distr.: General
20 August 2001
English
Original: Arabic

Identical letters dated 16 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 16 August 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq. The Minister calls attention to the wanton aggression committed by United States and British aircraft on 10 August 2001 against civilian and services-related installations in Dhi Qar and Wasit governorates, in which one citizen was killed and 11 were injured. This again confirms the disdain of the United States of America and the United Kingdom for the Charter of the United Nations and international law as well as for the international community's position that the enforcement of the two no-flight zones represents a unilateral decision to use force against an independent, sovereign State and has nothing to do with the United Nations.

The Minister affirms that by virtue of its long history and ancient civilization as well as the support it receives from the Arab nation and the other peoples of the world, the people of Iraq will triumph over this aggression and over the United States sanctions, whatever the name given to them. He expresses the hope that you will defend the Charter of the United Nations and the principles of justice and truth against brute force being used with extreme recklessness and irresponsibility and in contempt of all the values and norms that regulate relations between States.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

01-51616 (E) 210801 210801

Annex to the identical letters dated 16 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General and to the President of the Security Council

At 1130 hours on 10 August 2001, United States and British warplanes coming from Saudi and Kuwaiti territory violated Iraq's airspace. They carried out 12 sorties from Saudi territory and 12 from Kuwaiti territory and were supported by an AWACS aircraft operating inside Saudi airspace and an E-2C aircraft operating inside Kuwaiti airspace. They bombed civilian and services-related installations in Dhi Qar and Wasit governorates, killing one citizen and wounding 11.

This wanton aggression again confirms the disdain of the United States of America and the United Kingdom for the Charter of the United Nations and international law as well as the position taken by the international community, as represented by both countries and organizations. This position has been conveyed in many statements and declarations, all of them affirming that the enforcement of the two no-flight zones represents a unilateral decision to use force against an independent, sovereign State and has nothing to do with the United Nations. It thus constitutes wanton military aggression such as to require the United Nations to intervene to bring it to a halt and call the perpetrators to account.

It is both astonishing and condemnable that senior officials of the United States administration should consider the perpetuation of such aggression and of the aerial bombing of Iraqi towns and villages as a response to "provocation" on the part of Iraqi air defence personnel performing their lawful duty and exercising their legitimate right to defend their homeland. This logic would take the international community back to the epoch of the "law of the jungle", would accord the aggressor the right to impose his despotic will by force and would deprive the victim of aggression even of the legitimate right to self-defence affirmed by Article 51 of the Charter of the United Nations. This demands an explicit and resolute response from the international community and its institutions, including the United Nations, and one that imposes the force of law over the law of force and holds the aggressor to account for his crimes.

The United States administration has used its military aggression against Iraqi towns and villages, as a manifestation of brute force, in order to inflict further harm on the people of Iraq and intimidate other peoples. It has also used such aggression as a cloak and in order to distract attention from the failures of the United States administration at home and abroad. With them, when a moral scandal is uncovered at the highest levels of government, they engage in large-scale aggression against Iraq, as they do when facts come to light concerning the shameful use by the United States of a subsidiary organ of the Security Council (namely the Special Commission) for espionage against Iraq and the fabrication of crises or when their dumb and stupid sanctions fail. The United States uses the passivity of the United Nations and the Security Council with respect to the aggression under way since 1991 as an opportunity to implement its hostile policy against Iraq undeterred and to use the weapon provided by the comprehensive sanctions imposed in the name of the Security Council as an instrument for the mass extermination of the people of Iraq.

The persistence of the present situation, in which the United States conducts itself as a despotic Power that considers itself above the law, will bring about the collapse of the foundations on which international intercourse stands, based as it is on the purposes and principles of the United Nations and primarily the principle that the sovereignty of States must be respected, that there must be no interference in their internal affairs and that their security and stability must not be undermined. This requires that you should adopt an explicit and resolute stance condemning this aggression, demanding its immediate cessation and charging the perpetrators with full responsibility for it.

While anticipating your positive reply, I should like to assure you that by virtue of its long history and ancient civilization as well as the support it receives from the Arab nation and the other peoples of the world, the people of Iraq will triumph over this aggression and over the United States sanctions, whatever the name given to them. We express the hope that you will defend the Charter of the United Nations and the principles of justice and truth against brute force being used with extreme recklessness and irresponsibility and in contempt of all the values and norms that regulate relations between States and nations.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs of the Republic of Iraq

United Nations S/2001/806

Security Council

Distr.: General
20 August 2001
English
Original: Arabic

Letter dated 17 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 16 August 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq. The Minister calls attention to the ongoing wanton aggression being committed by the Zionist entity against the people of Palestine, which has caused its humanitarian situation to deteriorate to such an extent as to portend an assured humanitarian catastrophe should the situation continue as it is and failing the provision of urgent economic and material assistance to the Palestinian people.

The Minister asks you to do your utmost to secure immediate approval for the allocation of 1 billion euros of Iraq's assets in order to make food, medicine and other basic supplies available to the Palestinian people.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

01-51610 (E) 210801 210801

Annex to the letter dated 17 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

Day by day, the wanton aggression waged by the Zionist entity against the people of Palestine escalates. On a daily basis, this usurper entity is bombarding Palestinian towns, villages and refugee camps using the most up-to-date weapons of mass destruction, F-16 aircraft, Apache helicopters, depleted-uranium munitions and toxic gases supplied to it by the United States of America. The aggression has left hundreds of dead and thousands of wounded in the ranks of the civilian population, has caused the destruction of residential neighbourhoods and economic, civil and services-related installations, and has involved the bulldozing of cultivated land and the forced displacement of the population as well as other gross and pervasive violations of Palestinian human rights. There have been such crimes as political assassination, collective punishment, the imposition of blockades and closures, the isolation of Palestinian towns and villages from each other and the suspension of economic activity by the Palestinian people, all of which are war crimes and crimes against humanity.

The ongoing aggression has further aggravated the already impaired humanitarian situation of the Palestinian people, thus portending an assured humanitarian catastrophe should the situation continue as it is and failing the provision of urgent economic and material assistance to the Palestinian people so that it may: meet the emergency needs resulting from the destruction of Palestinian economic, health-care, cultural and services infrastructure; secure basic medical and educational services; provide assistance to the hundreds of thousands of unemployed and support to the families of those killed, wounded and captured in the valiant Intifadah; replant the areas bulldozed by the Zionist military machine; repair the roads; and provide immediate relief to Palestinians who have abandoned their lands and homes or whose houses, property and farms have been destroyed.

In the light of the foregoing, I should like to refer to the letters dated 26 November 2000 (S/2000/1119, annex), 10 December 2000 (S/2000/1174, annex), 19 December 2000 (S/2000/1216, annex), 23 January 2001 (S/2001/75, annex), 20 February 2001 (S/2001/143, annex) and 28 February 2001 (S/2001/190, annex) from the Minister for Foreign Affairs of Iraq addressed to you. These letters concern the decision of Iraq's political leadership to allocate 1 billion euros of Iraq's oil revenues under the memorandum of understanding of 20 May 1996 to the Palestinian people in order to support the stance it has taken in both the national and pan-Arab contexts.

In the aforesaid letters, Iraq set forth the mechanisms required to implement the decision of its political leadership. Lists of the requirements of the Palestinian people in terms of food, medicine and other basic items were compiled and sent to you. However, the representatives of the United States of America and the United Kingdom in the Security Council Committee established by resolution 661 (1990) obstructed agreement on the allocation of the sum of 1 billion euros of Iraq's assets to the insurgent Palestinian people, and they did so in their eagerness to inflict further harm and destruction on the Palestinian people and in order to encourage the Zionist entity to maintain its policy of inflicting collective punishments and killing and physically liquidating the Palestinian people.

The Palestinian Arab people is languishing under the most heinous and loathsome form of racist settler colonialism, as represented by the Zionist entity occupying the territory of Palestine, and it is in most urgent need of concrete and expeditious humanitarian assistance. This is especially so given the serious escalation of liquidations, of destruction and of the harassment of the Palestinian people. It is Iraq's sovereign right to share with the fraternal Palestinian people just a morsel of bread and a draught of medicine, despite its own shortage of both, and it is the legitimate right of the people of Palestine to have the support of its brothers and of its friends in the world so as to bolster its steadfastness in confronting the most arrogant of savage and racist assaults.

The persistence and increasing gravity of the Palestinian Arab people's plight as a result of daily Zionist aggression requires that the international community, as represented by both countries and organizations, should support this insurgent people. Your humanitarian duty and the responsibilities that are assigned to you also require you to play your own role in halting the aggression against the people of Palestine and endeavouring to mitigate the suffering of a people that has now been languishing under the yoke of occupation for more than 50 years.

On the basis of the foregoing, I ask you to endeavour to do your utmost to secure immediate approval for the allocation of 1 billion euros of Iraq's assets for the provision of food, medicine and other basic humanitarian supplies to the Palestinian people.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs of the Republic of Iraq

United Nations S/2001/807

Security Council

Distr.: General
20 August 2001
English
Original: Arabic

Letter dated 17 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

On instructions from my Government, I have the honour to transmit to you herewith a letter dated 15 August 2001 from Mr. Naji Sabri, Minister for Foreign Affairs of the Republic of Iraq. The Minister calls attention to the ongoing wanton aggression against Iraq by United States and British aircraft in the unlawful no-flight zones and to the fact that in the period from 31 July to 7 August 2001 they carried out 198 sorties, 58 of them from Saudi Arabia, 86 from Kuwait and 54 from Turkey.

The Minister reaffirms the Government of Iraq's condemnation of these acts of aggression against Iraqi territory, and he states that international responsibility for them must be borne by the United States of America, the United Kingdom and the countries that provide the logistic support for this aggression, namely Saudi Arabia, Kuwait and Turkey. He urges you to perform the duties assigned to you under the Charter by halting this unwarranted aggression and ensuring that it does not recur.

I should be grateful if you would have the present letter and its annex circulated as a document of the Security Council.

(*Signed*) Mohammed A. **Al-Douri**
Ambassador
Permanent Representative

01-51622 (E) 240801 240801

Annex to the letter dated 17 August 2001 from the Permanent Representative of Iraq to the United Nations addressed to the Secretary-General

I should like to inform you that United States and British warplanes based in Saudi Arabia, Kuwait and Turkey have continued to violate the airspace of the Republic of Iraq. They carried out 198 sorties in the period from 31 July to 7 August 2001, 58 of them from Saudi Arabia, 86 from Kuwait and 54 from Turkey, as shown hereunder.

1. In the northern region 54 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 6,000 to 12,000 metres, as follows:

(a) At 1120 hours on 1 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 22 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Mosul, Irbil, Dohuk, Zakho, Aqrah, Tall Afar, Sinjar and Rawanduz areas. Our air defences, acting in exercise of the legitimate right to defend the homeland, engaged the aircraft and, at 1420 hours, drove them off.

(b) At 1150 hours on 6 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 18 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Amadiyah, Dohuk, Ayn Zalah, Mosul, Tall Afar, Sinjar and Aqrah areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1400 hours, drove them off.

(c) At 1225 hours on 7 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Turkish territory penetrated Iraq's airspace in the northern region. They carried out 14 armed sorties, were supported by an AWACS aircraft operating inside Turkish airspace and overflew the Baibo, Amadiyah, Zakho, Aqrah, Dohuk, Ayn Zalah, Tall Afar, Sinjar, Rawanduz and Irbil areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1400 hours, drove them off.

2. In the southern region 144 sorties were flown at speeds of 720 to 780 kilometres per hour and at altitudes of 9,000 to 13,000 metres, as follows:

(a) At 1020 hours on 31 July 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 20 armed sorties, 12 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Busayyah, Lasaf, Salman, Ashbajah, Samawah, Shinafiyah and Artawi areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1140 hours, drove them off.

(b) At 0910 hours on 1 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 10 armed sorties,

two of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and eight from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Busayyah, Artawi, Jalibah and Salman areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1100 hours, drove them off.

(c) At 0715 hours on 3 August 2001, United States and British F-14, F-15, F-16, F-18, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 49 armed sorties, 16 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 33 from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Basrah, Nasiriyah, Jalibah, Samawah, Shinafiyah, Lasaf, Ashbajah and Salman areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1235 hours, drove them off.

(d) At 1005 hours on 4 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 22 armed sorties, eight of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 14 from Kuwaiti territory and by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Busayyah, Artawi, Nukhayb, Jalibah, Afak and Lasaf areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1335 hours, drove them off.

(e) At 0935 hours on 5 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 16 armed sorties, 10 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and six from Kuwaiti territory by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Nasiriyah, Qal'at Salih, Jalibah, Busayyah, Salman and Lasaf areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1125 hours, drove them off.

(f) At 1005 hours on 6 August 2001, United States and British F-14, F-15, F-16, Tornado and EA-6B aircraft coming from Saudi and Kuwaiti territory penetrated Iraq's airspace in the southern region. They carried out 27 armed sorties, 10 of them from Saudi territory with the support of an AWACS command and control aircraft operating inside Saudi airspace and 17 from Kuwaiti territory by way of the demilitarized zone between Iraq and Kuwait with the support of an E-2C command and control aircraft operating inside Kuwaiti airspace. They overflew the Lasaf, Busayyah, Ashbajah, Salman, Jalibah, Shinafiyah, Nukhayb, Basrah, Artawi, Qurnah and Jabayish areas. Our air defences, acting in the context of their legitimate right to defend the homeland, engaged the aircraft and, at 1520 hours, drove them off.

This aggression illustrates the criminal attitude being maintained by the United States of America and the United Kingdom towards Iraq. Since 1992, it has become a fixed policy aimed at undermining the country's sovereignty, independence and territorial integrity and at the systematic and concerted destruction of Iraqi lives, infrastructure and civilian installations. It is a policy that has been affirmed in successive statements made by United States and British officials.

The fair-minded nations of the world, including the Arab countries with the exception of the Saudi and Kuwaiti regimes colluding with and participating in this crime, have condemned the maintenance of the no-flight zones as representing an illegitimate use of force against an independent State. Three countries that are permanent members of the Security Council, namely the Russian Federation, China and France, have stressed the fact that the enforcement of the no-flight zones in northern and southern Iraq has no basis in any principle of international law. Your predecessor as Secretary-General, Mr. Boutros Boutros-Ghali, has stated that the claim made by the United States that Security Council resolution 688 (1991) authorizes the imposition of the no-flight zones is groundless. At your press conference of 27 June 2001, you also said that there was no basis in the resolutions of the Security Council for the imposition of the no-flight zones in northern and southern Iraq. Your actual words were (SG/SM/7865):

> "You know my position on this, and I have indicated that when you analyse and read the Security Council resolutions I do not see the Security Council resolutions as a basis for that."

The Government of Iraq categorically rejects the two so-called no-flight zones, which were imposed by unilateral decision of the United States and the United Kingdom and lack any legal basis. Iraq rejects all the consequences of this illegal decision and, in particular, the flimsy excuses and pretexts used by these States in an attempt to justify their military aggression against our country.

The logistic support provided by the Saudi and Kuwaiti regimes and by Turkey to the United States and the United Kingdom has made them key partners in the aggression being committed against Iraq, so that they bear full international responsibility under international law. This includes liability for full compensation for the loss and damage, in both human and material terms, that is caused by these illegal practices.

The Government of Iraq further renews its call to the countries participating in this aggression to desist forthwith from internationally prohibited acts that violate Iraq's sovereignty, place its security and integrity in grave danger and pose a direct and serious threat to international peace and security.

As it condemns these acts of aggression against Iraqi targets and installations, the Government of Iraq urges you, given that you have said that there is no basis in the resolutions of the Security Council for the imposition of the no-flight zones, to perform the duties assigned to you [under the Charter] as they relate to the maintenance of international peace and security by calling upon the governments of the countries in question to halt, end and desist from any resumption of their

ongoing aggression against an independent, sovereign State and by holding the perpetrators of this aggression and the regional parties that have associated themselves with it legally accountable for their persistence in this crime.

(*Signed*) Naji **Sabri**
Minister for Foreign Affairs

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Report by the Secretary-General concerning the credentials of the alternate representative of Ireland on the Security Council

Pursuant to rule 15 of the provisional rules of procedure of the Security Council, the Secretary-General wishes to report that he has received a note verbale dated 17 August 2001 from the Permanent Mission of Ireland to the United Nations stating that Mr. Gerard Corr has been appointed alternate representative of Ireland on the Security Council.

In the opinion of the Secretary-General, that communication constitutes adequate provisional credentials.

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